



State of New Jersey

Department of Environmental Protection

Jon S. Corzine
Governor

Lisa P. Jackson
Commissioner

Bureau of Case Management
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October 16, 2008

Christopher Anderson, Director
LE Carpenter
33587 Walker Rd
Avon Lake, OH 44012

NOTICE OF DEFICIENCY

Re: Remedial Action Selection Report for:
L E Carpenter
170 North Main St
Wharton, Morris County,
SRP PI# 003017
Activity Number Reference: RPC060001

Dear Mr. Anderson:

The New Jersey Department of Environmental Protection (Department) acknowledges receipt on September 6, 2007 of the Remedial Action Selection Report submitted pursuant to the Administrative Consent Order (ACO) executed on September 26, 1986 and the Technical Requirements for Site Remediation at N.J.A.C. 7:26E (Tech Rule).

Deficiencies

The Department has completed its review of your submittal and identified the following deficiencies:

Description of Deficiency: Pursuant to N.J.A.C. 7:26E-3.6(a)7, failure to collect soil samples in saturated zones.

Description of Deficiency: Pursuant to N.J.A.C. 7:26E-4.1(b), failure to delineate the horizontal and vertical limits of contamination to the applicable unrestricted use remediation standard for all media. Specifically, the delineation of contaminants in soils has not been completed.

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Corrective Actions

To correct these deficiencies please take the following actions or make the required submittals within the timeframes indicated:

Submit a Remedial Investigation Workplan within 30 days after receipt of this notice that addresses the deficiencies.

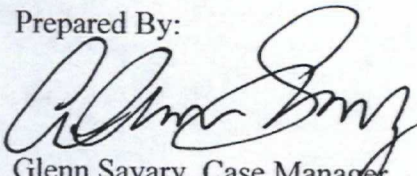
Detailed Explanation

1. *Section 2, page 3:* The brief discussion of a "smear zone" at the top of the water table mentions an apparent secondary source that continues to provide contaminant mass to the aquifer. This is reasonable that this condition exists, therefore, LE Carpenter will be required to delineate deep enough in the saturated zone in order to take account of the fluctuating water table.
2. *Section 4, page 1:* The Department generally agrees with the recommended remedial action, however, the full nature and extent of the contaminated area should be determined so that the proposed remedial action is appropriate, thorough and complete. In order to conduct a comprehensive contaminant delineation the Department recommends that Building #9 be demolished and removed. This will allow the LE Carpenter to investigate areas, such as floor drains, basement areas and footers, that would otherwise be inaccessible if the building remains. However, an alternate method to investigate these areas may be proposed, provided all the areas of concern are addressed.

Note that if deficiencies included herein are not addressed to the Department's satisfaction within the specified time period the Department will consider them to be violations and may assess penalties pursuant to N.J.A.C. 7:26C-10, or pursuant to the terms stipulated in the ACO.

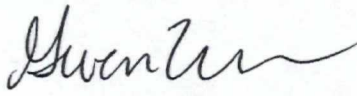
If you require copies of Department Guidance Documents or applications, many of these are available on the internet <http://www.state.nj.us/dep/srp>. If you have any questions regarding this matter contact Glenn Savary Case Manager, at (609) 633-0835, or at Glenn.Savary@dep.state.nj.us, prior to the date indicated.

Prepared By:



Glenn Savary, Case Manager
Bureau of Case Management

Reviewed By:



Gwen Zervas, P.E., Section Chief
Bureau of Case Management

cc: Nick Clevett, RMT
Patricia Simmons Pierre, EPA
George Blyskun, BGWPA
John Prendergast, BEERA
Health Officer, Wharton
Clerk, Wharton